

**BOROUGH OF BLOOMSBURY
PLANNING BOARD
REORGANIZATION MEETING MINUTES
JANUARY 19, 2016**

The regular meeting of the Bloomsbury Planning Board was held on January 19, 2016 at the Bloomsbury Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey 08804. The meeting was called to order at 7:35 p.m. by the reading of the Sunshine Law by Steven P. Gruenberg, Esq.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on January 29, 2015 by the publication of said notice in the Hunterdon County Democrat and the posting of said notice in the Municipal Building on the same date.

ROLL CALL:	Ann Ferrero	Martha Tersigni, Mayor
	Matt Korbobo-absent	Robert Waterson-excused
	Karen Murray	Steve Gruenberg, Attorney
	Vicky Papics	Richard Roseberry, Engineer - excused
	Tom Reilly - excused	Lawrence Creveling, Zoning Officer
	Michele Stiehler	Chuck McGroarty, Planner - excused

Flag Salute

2016 REORGANIZATION

OATH OF OFFICE

Mr. Gruenberg administered the Oath of Office to Karen Murray, Vicky Papics, Michele Stiehler, and Martha Tersigni prior to the start of the meeting.

NOMINATIONS:

Mr. Gruenberg requested nominations for Planning Board Chairman.

Mrs. Murray moved the Board appoint Tom Reilly as Chair; seconded by Mrs. Papics. No further nominations were received. Mrs. Tersigni moved the Board close nominations; seconded by Ms. Ferrero. All ayes. Motion carried.

ROLL CALL VOTE: Ferrero-aye; Murray-aye; Papics-aye; Stiehler-aye; Tersigni-aye. Motion carried.

Mr. Gruenberg asked for nominations for Planning Board Vice-Chair.

Mrs. Papics moved the Board appoint Rob Waterson as Vice-Chair; seconded by Mrs. Stiehler. No further nominations were received. Mrs. Murray moved the Board close nominations; seconded by Mrs. Papics. All ayes. Motion carried.

ROLL CALL VOTE: Ferrero-aye; Murray-aye; Papics-aye; Stiehler-aye; Tersigni-aye. Motion carried.

PROFESSIONAL APPOINTMENTS:

Mr. Gruenberg announced the agenda indicates that professional appointments will be held until the February meeting. Mrs. Tersigni confirmed the same.

RESOLUTION # 01-16 – SETTING 2016 MEETING DATES

WHEREAS, the Senate and General Assembly of the State of New Jersey have enacted an Act concerning meeting of certain public bodies known as the Open Public Meetings act, approved, October 21, 1975, as Chapter 231, P.L. 1975, effective 90 days after enactment, to wit, on or about January 19, 1976,

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Bloomsbury as follows:

1. The regular meetings of the Borough of Bloomsbury Planning Board shall be held on the third Tuesday of every month during the calendar year of 2016. Meetings shall be held in the Municipal Building, 91 Brunswick Ave., Bloomsbury, NJ at 7:30 PM.
2. Notice of such annual schedule of regular meeting of the Planning Board or any revised schedule thereof, as well as advance written notice of any regular, special or rescheduled meeting of the Board shall be prominently posted at the Municipal Building, published in the Hunterdon County Democrat and shall be on file with the Board Secretary.

REGULAR MEETING SCHEDULE

January 19, 2016

February 16, 2016

March 15, 2016

April 19, 2016

May 17, 2016

June 21, 2016

July 19, 2016

August 16, 2016

September 20, 2016

October 18, 2016

November 15, 2016

December 20, 2016

First Meeting of 2017 and annual re-organization - January 17, 2017

Ms. Ferrero moved the Board adopt Resolution # 01-16; seconded by Mrs. Papics.

ROLL CALL VOTE: Ferrero-aye; Murray-aye; Papics-aye; Stiehler-aye; Tersigni-aye. Motion carried.

RESOLUTION # 02-16 – DESIGNATION OF OFFICIAL NEWSPAPERS

BE IT HEREBY RESOLVED, by the Planning Board of the Borough of Bloomsbury that the Hunterdon County Democrat shall be designated as the official newspaper of the Planning Board, wherein all legal advertising of the Board shall be placed. The Express Times shall be designated as the first alternative and the Courier News shall be designated as the second alternative.

Mrs. Papics moved the Board adopt Resolution # 02-16; seconded by Ms. Ferrero.
ROLL CALL VOTE: Ferrero-aye; Murray-aye; Papics-aye; Stiehler-aye; Tersigni-aye. Motion carried.

REGULAR MEETING

APPROVAL OF BILL LIST

Mr. Gruenberg agreed to waive the December bill for \$145.00.

Mrs. Papics moved the Board approve the bill list of January 19, 2016 as amended, provided funds are available; seconded by Ms. Ferrero.

ROLL CALL VOTE: Ferrero-aye; Murray-aye; Papics-aye; Stiehler-aye; Tersigni-aye. Motion carried.

APPROVAL OF MINUTES

Ms. Ferrero moved the Board approve the regular meeting minutes of November 17, 2016; seconded by Mrs. Murray. All ayes. Stiehler-abstain; Papics-abstain. Motion carried.

ESCROW REPORT

The Board reviewed the Escrow reports of January. Mr. Gruenberg will email Mr. Roseberry about status of his letter to Travel Centers regarding the performance bond still being held.

ZONING REPORT

The Board reviewed the Zoning Report.

OLD BUSINESS

The Board reviewed the latest draft of the proposed Planning Board applications. Discussion followed. Mr. Gruenberg will make additional changes for the Board's review at the February meeting.

NEW BUSINESS

None.

CORRESPONDENCE

The Board reviewed correspondence.

RESOLUTION FOR AN EXECUTIVE SESSION

WHEREAS, N.J.S.A. 10:4-12 allows for a public body to go into closed session during a meeting, and

WHEREAS, the Planning Board of the Borough of Bloomsbury has deemed it necessary to go into a closed session to discuss certain matters which are exempted from the public,

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board of the Borough of Bloomsbury will go into closed session for the following reasons as outlined in N.J.S.A. to discuss pending litigation.

Ms. Ferrero moved the Board enter executive session at 8:16; seconded by Mrs. Papics. All ayes.

The Board discussed pending litigation relating to COAH and the Borough's possible future obligation. Discussion followed.

Mrs. Papics moved the Board return to regular session at 8:57; seconded by Ms. Ferrero. All ayes. Motion carried.

Mr. Gruenberg announced that the Board met in executive session to discuss pending litigation and no action was taken.

OPEN TO THE PUBLIC

No comment.

ADJOURNMENT

There being no further business, a motion to adjourn the meeting was made by Mrs. Papics; seconded by Ms. Ferrero. All ayes motion carried. Meeting adjourned at 8:59 PM.

Respectfully submitted,

Lisa A. Burd Reindel
Planning Board Secretary

**BOROUGH OF BLOOMSBURY
PLANNING BOARD
REGULAR MEETING MINUTES
MARCH 15, 2016**

The regular meeting of the Bloomsbury Planning Board was held on March 15, 2016 at the Bloomsbury Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey 08804. The meeting was called to order at 7:30 p.m. by the reading of the Sunshine Law by Tom Reilly, Chairman.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on February 4, 2016 by the publication of said notice in the Hunterdon County Democrat and the posting of said notice in the Municipal Building on the same date.

ROLL CALL:	Ann Ferrero	Martha Tersigni, Mayor
	Matt Korbobo	Robert Waterson
	Karen Murray	Steve Gruenberg, Attorney
	Vicky Papics	Richard Roseberry, Engineer
	Tom Reilly	Lawrence Creveling, Zoning Officer-arrived 7:34
	Michele Stiehler	Chuck McGroarty, Planner - excused

FLAG SALUTE

APPROVAL OF BILL LIST

Mrs. Papics moved the Board approve the Bill List of March 15, 2016; seconded by Mr. Ferrero.

ROLL CALL VOTE: Ferrero-aye; Korbobo-aye; Papics-aye; Reilly-aye; Stiehler-aye; Tersigni-aye; Waterson-aye; Mrs. Murray-aye. Motion carried.

APPROVAL OF MINUTES

Mrs. Papics moved the Board approve the reorganization & regular meeting minutes of January 19, 2016; seconded by Ms. Ferrero. All ayes. Reilly-abstain; Korbobo-abstain; Waterson-abstain. Motion carried.

ZONING REPORT

The Board reviewed the Zoning Reports of February & March. Mr. Creveling stated that 42 Church has contacted him regarding sidewalk replacement. He stated that there is a section of the zoning code that requires there be grass between the sidewalk and the curb. The requirement can be waived provided the Planning Board and the Engineer agree. Mr. Creveling explained that currently the sidewalk goes all the way to the curb and Mr. Roseberry has no objection as long as they replace the entire sidewalk but it needs to be considered by the Board. Mr. Reilly asked if there is a letter for the Board to review. Mr. Creveling stated there is not, but it is in the zoning code and he just found out about it last night. Mr. Gruenberg stated that the Board needs something to review.

Mr. Roseberry stated that Mr. Creveling contacted him today about this matter and his feeling is that if they are just replacing it where it is it is just a repair. Mr. Gruenberg stated that if they are seeking some relief from the board, the board needs something to review. He stated that if the Zoning Officer doesn't have any plans or anything to review he doesn't think the board can act on anything. Mr. Korbobo stated that he needs to replace some of the sidewalk because his insurance company is going to drop him because of the trip hazard that exists currently. He explained he will not be replacing the entire sidewalk, but approximately 75 linear feet, so it is just a repair. Discussion followed.

Mrs. Papics moved the Board accepted the report into the record. All ayes. Motion carried.

ESCROW REPORT

Mrs. Tersigni stated that the CFO is in receipt of two checks from tonight's applicant, but has not deposited them yet as he was waiting for verification that the fee amounts were correct. Mrs. Tersigni stated that she thought the Secretary had reached out to Mr. Roseberry for clarification of the same. Mr. Roseberry stated that is not the case. The board accepted the escrow report.

NEW BUSINESS-

COMPLETENESS DETERMINATION - Minor Site Plan Approval Centurion Construction Group, LLC as agent for Growmark FS, Inc. - 60 Lehigh Avenue; Block 9; Lot 3

Alan Lowcher, Attorney & Kurt Hoffman, Engineer appeared on behalf of the applicant for minor site plan approval and variance relief to permit the construction of a new storage building to replace one that will be demolished. He advised they will follow the same footprint but expand it, but only within existing impervious area. Mr. Lowcher stated that the property was the subject of 2 earlier site plan approvals that he was not involved with in 1990 & 2008 and in both of those cases the existing impervious coverage calculation was 45.9% and with the new plans, their engineer came up with an impervious coverage calculation of 51.7%. The property is in the AR zone which allows for a maximum impervious coverage of 20%, so although this issue has been addressed in two prior site plan approvals, we still need address the matter.

Mr. Roseberry stated that for the completeness checklist it is a matter of some detailing on the plans and he would like them to show the existing and proposed buildings clearly and there is a waiver request for environmental impact statement that he recommends the board grant because this is more or less a replacement of an existing building. Mr. Roseberry stated that the items he noted as technical deficiencies are not really completeness items but they are items that the Board should have answers to prior to a public hearing. Mr. Gruenberg asked if he recommended that items 1 – 8 be granted for completeness purposes only subject to additional information being provided 10 days in advance of the public hearing. Mr. Gruenberg asked if the applicant understands that if this is not provided 10 days in advance of the public hearing, they may not be able to proceed with the hearing. Mr. Lowcher confirmed the same.

Ms. Ferrero moved the Board approve the application for completeness based upon Mr. Roseberry's memo and comments tonight; seconded by Mrs. Papics.
ROLL CALL VOTE: Ferrero-aye; Korbobo-aye; Papics-aye; Reilly-aye; Stiehler-aye; Tersignia-aye; Waterson-aye; Murray-aye. Motion carried.

The Public hearing will be scheduled for April 19, 2016.

CORRESPONDENCE

Board reviewed correspondence.

OLD BUSINESS-

PLANNING BOARD FORMS AND APPLICATIONS

Mrs. Murray stated that last time the board decided that all plans would be changed to plats or vice versa, but that was not done. Mr. Gruenberg stated that there is consistency because a subdivision is a plat and site plan is a plan because there is a distinction. Mrs. Murray stated that there are still lots of headers and footer in this draft. Mr. Gruenberg said he will provide a clean copy. Mr. Korbobo asked if there is a clarification on who does or does not need to do a variance. Discussion followed.

WIRELESS TELECOMMUNICATIONS ORDINANCE

Mr. Gruenberg stated that he handed the new version out tonight. Exhibit A would be the actual ordinance adopted by Borough Council that talks about the provisions of the existing code that would be amended and Exhibit B is just the existing fees and deposits ordinance with the changes tracked so the Board can see what the whole document looks like. Exhibit C is the existing wireless communications ordinance with the changes on it so the Board knows where the changes have been made and what has been added. He asked that the Board focus on the application fee and escrow fee for filing the site plan exemption application. He explained that one of his other towns chose an application fee of \$450 and an escrow deposit of \$1,500 in case the zoning officer needs to consult with professionals. Mr. Gruenberg said the existing numbers in the Bloomsbury ordinance are hefty. Discussion followed.

APPOINTMENT OF PROFESSIONALS

Mr. Gruenberg stated that the only remaining item is that the Board's Professionals have not been reappointed for 2016. He said that he didn't know if that was something the Board was working on at this point. Mrs. Tersigni stated that none of the Borough Professionals have been reappointed. She stated that she is waiting for language to go out to bid and this language has never been furnished to her from the Borough Attorney so she has all of the contracts that have been submitted and it will be addressed next week. At this point she feels that the Borough Attorney has dragged his feet so long that it is impossible to go out to bid at this point, so she would expect almost everyone to be reappointed. Mr. Gruenberg stated that it is entirely up to the Board if that is what they want to do. He explained that the Board appoints its professionals and the Council appoints their professionals and if the Board wants to go out to bid that is their choice and procedurally that may be where they are at this point. It is a separate matter from Council's decision and he has an obligation to explain that right now there are no professionals appointed.

Mr. Waterson asked what professionals the Board is responsible to appoint. Mr. Gruenberg explained that the Board needs to appoint an attorney, planner & engineer and that often the engineer and planner overlap but not always, but that ultimately the decision was up to the Planning Board members. He reiterated that the Board should decide if they want to put their professionals out to bid, and for the Council to decide if they want to put their professionals out to bid. He explained that it is supposed to be done before January so right now the professionals are not under contract.

Mr. Reilly stated that he would like a motion to re-appoint the professionals that we have. He asked if he needed to go into executive session first. Mr. Gruenberg stated that the Board could one of two things, they can go into executive session and have him leave the room so they can discuss professionals, if they want to re-appoint or go to bid. Mrs. Tersigni stated that the contracts are in the Clerk's office and she does not have access. Mr. Gruenberg stated there is no change to his contract. Mr. Waterson asked if the Board has a general idea of what is in the contract. Mr. Gruenberg stated that his contract is identical to last year's. Mrs. Tersigni stated that Mr. Waterson wouldn't know what was in the contract. Discussion followed.

RESOLUTION FOR AN EXECUTIVE SESSION

WHEREAS, N.J.S.A. 10:4-12 allows for a public body to go into closed session during a meeting, and

WHEREAS, the Chairman and the Planning Board Members have deemed it necessary to go into a closed session to discuss certain matters which are exempted from the public,

NOW, THEREFORE, BE IT RESOLVED, that the Chairman and the Planning Board of the Borough of Bloomsbury will go into closed session for the following reasons as outlined in N.J.S.A. 10:14-2 to discuss contracts.

Ms. Ferrero made a motion to enter executive session; seconded by Mrs. Papics. All ayes. Motion carried.

Ms. Ferrero made a motion to re-enter regular session at 8:44 pm; seconded by Mrs. Papics. All ayes. Motion carried.

Mr. Reilly stated that he will ask the secretary to scan and email all contracts for Planning Board professionals to all board members for their review. Members will be asked to provide comments to the Secretary within two weeks.

OPEN TO THE PUBLIC

No comment.

ADJOURNMENT

There being no further business, a motion to adjourn the meeting was made by Mrs. Papics; seconded by Ms. Ferrero. All ayes motion carried. Meeting adjourned at 8:48 PM.

Respectfully submitted,

Lisa A. Burd Reindel,
Planning Board Secretary

**BOROUGH OF BLOOMSBURY
PLANNING BOARD
REGULAR MEETING MINUTES
APRIL 19, 2016**

The regular meeting of the Bloomsbury Planning Board was held on April 19, 2016 at the Bloomsbury Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey 08804. The meeting was called to order at 7:34 p.m. by the reading of the Sunshine Law by Steve Gruenberg, Board Attorney.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on February 4, 2016 by the publication of said notice in the Hunterdon County Democrat and the posting of said notice in the Municipal Building on the same date.

ROLL CALL:	Ann Ferrero - excused	Martha Tersigni, Mayor
	Matt Korbobo	Robert Waterson
	Karen Murray	Steve Gruenberg, Attorney
	Vicky Papics - excused	Nicole Caffrey, Engineer
	Tom Reilly – arrived 7:39	Lawrence Creveling, Zoning Officer
	Michele Stiehler	Chuck McGroarty, Planner - excused

FLAG SALUTE

APPROVAL OF BILL LIST

Mr. Korbobo moved the Board approve the Bill List of April 19, 2016; seconded by Mrs. Stiehler.

ROLL CALL VOTE: Korbobo-aye; Stiehler-aye; Tersigni-aye; Waterson-aye; Mrs. Murray-aye. Motion carried.

APPROVAL OF MINUTES

Mrs. Murray requested typographical corrections. Mrs. Stiehler moved the Board approve the regular meeting minutes of March 15, 2016 as amended; seconded by Mr. Waterson. All ayes. Motion carried.

Mrs. Murray moved the Board approve the executive session meeting minutes of January 19, 2016; seconded by Mrs. Tersigni. All ayes. Motion carried.

Mrs. Tersigni moved the Board approve the executive session meeting minutes of March 15, 2016; seconded by Mrs. Murray. All ayes. Motion carried.

ZONING REPORT

The Board reviewed the Zoning Report of April and accepted the same into the record.

ESCROW REPORT

The Board reviewed the escrow report.

OLD BUSINESS-

RESOLUTION # 03-16 - RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT WITH CERTAIN PLANNING BOARD PROFESSIONALS

WHEREAS, the Borough of Bloomsbury Planning Board requires the services of an engineer and attorney; and

WHEREAS, funds are available in the 2016 municipal budget for the Borough of Bloomsbury Planning Board expenses; and,

WHEREAS, C. Richard Roseberry, P.E., P.P., C.M.E, of Maser Consulting is a duly qualified licensed engineer of the State of New Jersey; and

WHEREAS, Steven P. Gruenberg, Esq., of Scholl, Whittlesey & Gruenberg, LLC, is a duly licensed attorney of the State of New Jersey; and

WHEREAS, Chuck McGroarty of Banisch Associates, Inc., is a duly licensed planner of the State of New Jersey, and

WHEREAS, the Board members are desirous of retaining the services of the aforementioned individuals;

WHEREAS, the Chief Finance Officer has certified that the contracts (recited below) with , C. Richard Roseberry, P.E., P.P., C.M.E, of Maser Consulting, Steven P. Gruenberg, Esq., of Scholl, Whittlesey & Gruenberg, LLC, and Chuck McGroarty, of Banisch Associates, Inc, may exceed \$17,500 in value, and such parties have furnished to the Borough of Bloomsbury (or will furnish to the Borough of Bloomsbury prior to the effectiveness of an award of contract with them) a Business Entity Disclosure Certification certifying that their entity has not made any reportable contributions under the New Jersey Local Pay-To-Play Law (N.J.S.A. 19:4A-20.4 et seq.) and that they will not, during the term of their contract make any political contribution so reportable; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1et seq.) requires a resolution authorizing the award of contracts for Professional services without competitive bidding must be advertised,

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Bloomsbury, County of Hunterdon, State of New Jersey as follows:

1. That the Chairman and Secretary of the Borough of Bloomsbury are hereby authorized and directed to execute contracts with the following all being for a period of one year, ending on December 31, 2016, contingent upon receipt from each of the following where the contract may exceed \$17,500 of a Business Entity Certification certifying that their entity has not made any reportable contributions under the New

Jersey Local Pay-To-Play Law (N.J.S.A. 19:4A-20.4 et seq.) and that they will not, during the term of their contract make any political contributions so reportable:

C. Richard Roseberry, P.E., P.P., C.M.E, of Maser Consulting is appointed Planning Board Engineer for the calendar year 2016.

Steven P. Gruenberg, Esq., of Scholl, Whittlesey & Gruenberg, LLC, is appointed Planning Board Attorney for the calendar year of 2016.

Chuck McGroarty, of Banisch Associates, Inc, is appointed Borough Planner for the calendar year of 2016.

2. These contracts are awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5-(1) (a) of the Local Public Contracts Law.
3. This resolution shall be published once in the Hunterdon County Democrat.
4. Copies of said professional agreements shall be maintained in the municipal offices of the Borough.

Mrs. Tersigni moved the Board adopt Resolution # 03-16; seconded by Mrs. Stiehler.
ROLL CALL VOTE: Korbobo-aye; Reilly-aye; Stiehler-aye; Tersigni-aye; Waterson-aye; Murray-aye. Motion carried.

PUBLIC HEARING – Preliminary and Final Site Plan Approval Centurion Construction Group, LLC as agent for Growmark FS, Inc. - 60 Lehigh Avenue; Block 9; Lot 3

Alan Lowcher, Attorney representing the applicant stated they are before the Board seeking preliminary and final site plan approval and variance relief to permit the construction of a new storage building on the property at 60 Lehigh Avenue. The project calls for demolishing the existing building and construction of a new building on that foot print plus adjacent impervious coverage. There is no increase in existing impervious coverage as a result of this project and the existing and continued use is permitted in the AR Zone. Mr. Lowcher stated that this site received previous site plan approvals in 1990 and 2008. In both cases the impervious coverage had been calculated at 45.9% whereas with the current plan to be presented this evening, they find the actual existing impervious coverage to be at 51.7%. He explained that 20% is the maximum allowed in the zone so they will address the impervious coverage as part of the presentation.

Mr. Gruenberg stated he reviewed the proof of service and publication of the notice of hearing and finds that the Board has jurisdiction to proceed this evening.

Michele Stiehler stepped down from the table to recuse herself from the hearing and left the meeting at 7:41. Chris Ritchie and Nate with Centurion group, Esmond with Growmark and Kurt Hoffman of Kurt Hoffman Engineering were sworn in by Mr. Gruenberg.

Chris Ritchie, Project Manager with Centurion Group testified that he will be involved with coordination of the construction phase of this project. He said they have worked with Growmark FX on other projects at other locations upgrading infrastructure and equipment. Mr. Ritchie presented pictures to the Board and marked them exhibit A-1, A-2, A-3 & A-4 and a floor plan marked exhibit A-5. He described the existing and proposed site conditions and structures. Discussion followed.

Mr. Ritchie testified that the new building will have storage bins for all of the same products they currently have and will be stored in the same way. He testified that the height of the new building will be 35' where 36' is allowed in the zone but he does not know the exact height of the existing building. The additional height of the new building will accommodate a maintenance area and will be approximately 8' higher than the current building.

Mr. Korbobo stated that he is familiar with the site and the proposed loading area is almost identical, but better because the area is covered.

Mr. Ritchie stated their goal is to begin work in July and finish by the end of the year.

Mr. Korbobo asked if there is a liner under the concrete slab that would catch any liquefied contaminates. Mr. Ricky testified it will be 6" concrete with no expansion joints.

Mr. Gruenberg asked if there was a fire suppression system. Mr. Ritchie testified that it is not required by code for this type and size facility. He added that the materials are rather benign, especially when stored separately like these are.

Mr. Gruenberg opened discussion to the public.

Rob Walsh, 12 Woodland Terrace questioned if Mr. Ritchie was an expert and if it was appropriate for him to testify. Mr. Gruenberg stated that he was not asked to be qualified as an expert so his testimony is that of the project manager. Discussion followed. Mr. Walsh asked what the structural framing of the building was. Mr. Ritchie testified that it is concrete up until 8' above grade and then it is wood construction with shingles, Endura panels and vinyl siding.

Mr. Waterson asked if they anticipate an increase in storm water runoff. Mr. Ritchie stated that they do not as there is no increase to the impervious coverage on the site.

Mr. Lowcher called Esmond Crooketo testify. Mr. Crooke testified that he is the warehouse manager at the site. Mr. Lowcher asked Mr. Crooke to explain the difference in the impervious coverage calculations. Mr. Crooke stated that the area of lime storage has been onsite for decades and it pre-dates anyone who works there.

Mr. Crooke testified that they are pursuing this project based on the condition of the current structure for future use, a safe working environment, to be responsible in all aspects of containing and maintaining the products. Mr. Waterson asked if the size of the building will result in increased traffic. Mr. Crooke stated that it will not, that it is intended to handle the current volume that they have. He added that we are in an area where agriculture is not growing so he does not anticipate an increased need locally.

Mr. Walsh asked if he is aware of requirements for the major facility and secondary containment.

Mr. Crooke testified that this pertains to dry storage and they have an active DPCC plan and they fall under the minimal requirement of having a plan which they do. He added that they have regular inspections and their plan is current.

Mr. Waterson asked where chemicals will be stored during construction. Mr. Crooke testified that they will deplete the products by the end of the summer and transfer anything that is left to a different facility. The applicant agreed that they would make no temporary on site storage of chemicals a condition of approval.

Kurt Hoffman of Kurt Hoffman Engineering testified he is a licensed engineer in the State of New Jersey, he graduated from the University of New Hampshire, he has been practicing as a licensed engineer for the past 11 years in New Jersey and has testified before many Boards in Warren, Hunterdon & Somerset Counties about numerous applications, site plans & site revisions such as this. No member of the Board had any questions regarding Mr. Hoffman's qualifications and he was accepted as an expert.

Mr. Hoffman marked the site plan exhibit A-6 and stated that his sheet 2 of 5 of his revised site plan, dated 4/6/16 shows the entire site. He explained that the area in red is the existing structure that will be demolished and the area highlighted in yellow will be the new structure. Existing buffering is shown in green with vegetative woods between the site and Deer Path and also on the easterly side of the site going toward Church Street.

Mr. Roseberry's correspondence dated March 9, 2016 was marked exhibit B-1 and Mr. Hoffman responded to the same. Mr. Hoffman testified that to satisfy Mr. Roseberry's memo, he provided an additional sheet to the plan to indicate more clearly the existing and proposed conditions. Mr. Hoffman labeled areas of additional concrete slab around the proposed building.

Mr. Hoffman stated they were able to obtain an as built drawing of the septic and he modified the plans to show the exact location of those items and there is no conflict of the proposed building location to the septic tank. He clarified that there is no cesspool on the property. Ms. Caffrey stated that as long as they locate the septic and verify that it is in fact 10' away from the building prior to construction that would be acceptable. Mr. Hoffman testified that in Hunterdon County the distance required from a slab to a septic is 5' and distance from a full foundation to a septic must be 10' to the tank or 25' to any disposal field and they meet both of those requirements based on the as built plans. Mr. Korbobo clarified that they technically only need to be 5' away.

Mr. Hoffman confirmed the same. Mr. Hoffman testified that they will not be adding any new lighting as they will be removing the lights from the existing building and installing them on the new building at the same height so the lighting will be the same as it is today.

Mr. Hoffman testified that they took it upon themselves based on Mr. Roseberry's letter to relocate the dumpsters to an existing concrete pad more centrally located on the site and they will add a dumpster enclosure as well.

Mr. Hoffman testified that they have applied for a variance for impervious coverage explaining that the calculation used in the 1990 & 2008 site plan applications was 45.9% where he calculates the existing impervious coverage to be 51. %. The copy of the site plan submitted to the Board in 2008 was marked exhibit A-7. Mr. Hoffman testified it does not show an

impervious coverage calculation of the lime storage area, and he included this area in his calculation which is the difference. He clarified they are not actually increasing the impervious coverage on the site, but corrected the calculation of what has been existing. Mr. Hoffman testified that the gravel area where lime is stored was not on the previous plan and needs to be included. Discussion followed. Mr. Crooke testified that his best guess would be that the lime storage area has been there for approximately fifty years. It is used for adjusting soil pH and stored in a pile outside with two blocks walls that form a corner to hold it. Mr. Crooke testified it is a naturally occurring quarry product and it has always been stored in this way at this location on this site. Mr. Reilly asked if the storage area could be outlined on the plan. Mr. Hoffman agreed to the same.

Mr. Hoffman stated that according to the State they do not need stormwater management because they are not increasing impervious coverage or disturbing an acre of land with this project.

Mr. Hoffman stated that his response to Mr. Roseberry regarding proof that the application is exempt from Highland's review as indicated in his letter of April 8, 2016 was that it is exempt under Highland's exemption #4 "for an exemption of reconstruction of any building or structure for any reason within 125% of the footprint of the lawfully existing impervious surface on the site; provided that the reconstruction doesn't increase the lawfully existing impervious surface by ¼ acre or more". Mr. Hoffman stated that it is his understanding that as long as it is a clear cut exemption, the Zoning Officer, or town have the right to act on the application without getting the exemption from the DEP. He explained that Rick is not trained in this, but most towns are getting someone trained so that municipalities can act on these type applications.

Ms. Caffrey stated that there is no one at the Borough currently who has had the training to be able to authorize the exemption but they agree it does meet the criteria. Mrs. Tersigni stated that the Borough has received information recently and the Zoning Officer is scheduled to attend training in on May 8, 2016. Mr. Gruenberg stated that if the Zoning Officer cannot give the approval it becomes a question of if it can become a condition of approval. The Secretary stated that Joanna Slagle, former Borough planner had been the person designated to handle this for the Borough in the past. She asked if it she or someone else at Banisch could possibly do it for this application. Mr. Gruenberg stated it would make sense to contact Mr. McGroarty to find out.

Mr. Hoffman stated that he provided a cost estimate to Mr. Roseberry per his request. Ms. Caffrey stated that they have reviewed the same and they would like to make the issuance of a performance bond of 120% of the cost estimate a condition of approval. Mr. Lowcher agreed to the same.

Ms. Caffrey stated the final condition they would like to see is that 5% of cost be held to cover inspection fees.

Mr. Hoffman testified that they have made application to the Hunterdon County Planning Board and they have reviewed the plan. They had requested revisions and Mr. Hoffman has submitted those. If the Board makes a favorable decision this evening, Mr. Lowcher will finish the paperwork with the County and they will also make application to the Hunterdon County Soil Conservation District.

Discussion followed. Mr. Walsh asked how many employees were typically on site during peak times. Mr. Crooke advised there could be 14 employees. Mr. Walsh asked if the septic had been tested for that amount of use. Mr. Hoffman stated that it is based on square footage of the facility and based on what exists and what is proposed, there will be no increase in use. He further advised that they are regulated by the minimum flow of 350 gallons per day and they do not even reach that.

Mr. Walsh asked if there is a plan that shows the existing stormwater management facility. Mr. Hoffman advised that other than roof leaders, there are no detention basins or anything onsite. Mr. Walsh stated that run off from this property comes onto his property. He explained that there is a rip rap swale that was built to handle this and that it has eroded and filled in over time which has diminished its capacity. He said that he knows it is a township drainage easement and that is something he needs to take up with Mr. Roseberry to have it maintained. Mr. Walsh added that maybe there is no existing easement on the Growmark property. Mr. Hoffman stated there are none that he is aware of.

Mr. Waterson asked what happens in a heavy rain. Mr. Walsh stated that his basement can flood if the groundwater level rises. Mr. Waterson asked if he thinks it is from this area. Mr. Walsh said no, that it is just the nature of it, that it goes down and into the drainage swale and some erosion has to be repaired. He stated that it is severely undermined and there is an approximate 3' gap between the ground and what the water is supposed to be traveling on. He stated there is a 35' drainage easement along the rear of his property and adjacent properties that ultimately goes to a stream.

Mr. Gruenberg opened the public hearing.

Mr. Walsh was sworn in by Mr. Gruenberg. Discussion followed. Mr. Korbobo asked Mr. Walsh to confirm that the Growmark facility was preexisting when his development was constructed. Mr. Walsh stated that he believes the drainage channel had to have been an off-site improvement from the subdivision.

Mr. Lowcher stated that he feels it would be appropriate to consider this a C-2 Variance and that the purposes of the Municipal Land Use Law would be advanced by deviation from the Zoning Ordinance for impervious coverage and that the benefits of this deviation would substantially outweigh any detriment. He feels it could be met by two purposes of the municipal land use law, 40:55d2, to provide sufficient space and appropriate locations for a variety of agricultural, residential, recreation, commercial and industrial uses and open space both public and private according to their respective environmental requirements in order to meet the needs of all New Jersey citizens. As we have heard, Growmark's operation is a permitted use in the AR Zone. The second purpose would be M – To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land.

Mrs. Murray moved the Board close the public hearing; seconded by Mr. Korbobo.
ROLL CALL VOTE: Korbobo-aye; Reilly-aye; Tersigni-aye; Waterson-aye; Murray-aye. Motion carried.

Mr. Gruenberg explained that the C-Variance is for an increase in impervious coverage where there is technically no increase from what is existing right now. He stated they are seeking impervious

coverage of 51.7% where 20% maximum is permitted and previously the impervious coverage had been calculated at 45.9% in error. The applicant has the burden of establishing that that variance can be granted and that the benefits of that variance outweigh any detriment and that it can be granted without substantial detriment to the public good and it will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

Mrs. Tersigni moved the Board accept the C- Variance; seconded by Mrs. Murray.

ROLL CALL VOTE: Korbobo-aye; Reilly-aye; Tersigni-aye; Waterson-aye; Murray-aye. Motion carried.

Mr. Gruenberg stated that preliminary and final site plan approval is subject to the following conditions:

- No temporary storage of product on site during construction.
- Compliance in all respects with Mr. Roseberry's letter dated March 9, 2016, marked exhibit B-1 and as clarified during testimony but also to include that the septic review has to be resolved to Mr. Roseberry's satisfaction prior to the issuance of any CO.
- There is no new lighting proposed and existing lighting will be re-mounted on the new structure in the same locations and will not be any higher.
- The dumpster will be relocated on an existing concrete pad and enclosed with a board on board fence to Mr. Roseberry's satisfaction.
- Outside Governmental approvals including Highland's Exemption Determination either by the Borough or as appropriate.
- Performance Guarantee shall be posted to the satisfaction of the Board's professionals.
- Plan revisions to show the delineation for the lime stone storage and gravel area to the satisfaction of the Board's Professionals.
- 5% of cost estimate will be for inspection fees.

Mr. Korbobo moved the Board grant preliminary and final site plan approval; subject to the aforementioned conditions; seconded by Mrs. Tersigni.

ROLL CALL VOTE: Korbobo-aye; Reilly-aye; Tersigni-aye; Waterson-aye; Murray-aye. Motion carried.

WIRELESS TELECOMMUNICATIONS ORDINANCE

Mr. Gruenberg asked if the Board had questions regarding the proposed Ordinance. Mr.

Waterson moved the Board refer the Telecommunication Ordinance to the Borough Council; seconded by Mr. Korbobo.

ROLL CALL VOTE: Korbobo-aye; Reilly-aye; Tersigni-aye; Waterson-aye; Murray-aye. Motion carried.

PLANNING BOARD FORMS AND APPLICATIONS

Mrs. Tersigni stated that they have been worked on in detail by herself and Mrs. Murray and they will have something for the Board to review shortly. Brief discussion followed.

NEW BUSINESS-

No new business.

CORRESPONDENCE

Board reviewed correspondence.

OPEN TO THE PUBLIC

No comment.

ADJOURNMENT

There being no further business, a motion to adjourn the meeting was made by Mrs. Murray; seconded by Mr. Korbobo. All ayes motion carried. Meeting adjourned at 9:29 PM.

Respectfully submitted,

Lisa A. Burd Reindel,
Planning Board Secretary

**BOROUGH OF BLOOMSBURY
PLANNING BOARD
REGULAR MEETING MINUTES
JUNE 21, 2016**

The regular meeting of the Bloomsbury Planning Board was held on June 21, 2016 at the Bloomsbury Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey 08804. The meeting was called to order at 7:30 p.m. by the reading of the Sunshine Law by Steve Gruenberg, Board Attorney.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on February 4, 2016 by the publication of said notice in the Hunterdon County Democrat and the posting of said notice in the Municipal Building on the same date.

ROLL CALL:	Ann Ferrero	Martha Tersigni, Mayor
	Matt Korbobo	Robert Waterson
	Karen Murray - excused	Steve Gruenberg, Attorney
	Vicky Papics	Lawrence Creveling, Zoning Officer
	Tom Reilly	
	Michele Stiehler	

FLAG SALUTE

APPROVAL OF BILL LIST

Ms. Ferrero moved the Board approve the Bill List of April 19, 2016; seconded by Mrs. Stiehler. ROLL CALL VOTE: Ferrero-aye; Korbobo-aye; Papics-aye; Reilly-aye; Stiehler-aye; Tersigni-aye; Waterson-aye. Motion carried.

APPROVAL OF MINUTES

Mrs. Tersigni moved the Board the regular meeting minutes of April 19, 2016; seconded by Mr. Korbobo. All ayes. Ferrero-abstain; Papics-abstain. Motion carried.

ZONING REPORT

The Board reviewed the Zoning Reports of May & June and accepted the same into the record.

ESCROW REPORT

The Board reviewed the escrow report dated June 6, 2016.

OLD BUSINESS-

**RESOLUTION 04-16 – FINDINGS OF FACT, CONCLUSIONS AND RESOLUTION
REGARDING THE APPLICATION OF CENTURION CONSTRUCTION GROUP, LLC
AS AGENT FOR GROWMARK, FS FOR PRELIMINARY AND FINAL SITE PLAN
APPROVAL AND VARIANCE RELIEF FOR BLOCK 9, LOT 3**

The Planning Board of the Borough of Bloomsbury, in the County of Hunterdon and State of New Jersey, upon motion of Mr. Waterson, seconded by Mr. Korbobo, adopts the following findings of fact, conclusions and resolutions:

Findings of Fact:

1. Applicant, CENTURION CONSTRUCTION GROUP, LLC AS AGENT FOR GROWMARK, FS (hereafter referred to as "Centurion") has filed this application for preliminary and final site plan approval and variance relief as to an existing site located at Block 9, Lot 3. The applicant was represented at all times by Alan Y. Lowcher, Esq.

2. The property was the subject of prior approvals including the granting of preliminary and final site plan approval in 2009 to place an addition onto an existing warehouse at the existing site to provide more storage of product. That approval was memorialized by way of Resolution #07-09 with an approval date of August 18, 2009 and memorialized on December 15, 2009.

3. The current proposal is to demolish the existing storage building and replace it with a larger storage building. As a result of the application, the following variance relief is required:

A. Maximum impervious coverage of 51.7% where 20% is permitted.

4. On March 16, 2016, the Board entertained the application for completeness purposes. Mr. Lowcher explained that the property was the subject of two earlier site plan approvals that he was not involved with in 1990 & 2008 and in both of those cases the existing impervious coverage calculation was 45.9%. Although the applicant is not expanding any impervious coverage with the new proposal, their engineer calculated the impervious coverage as

51.7%. The property is in the AR zone which allows for a maximum impervious coverage of 20%, so although this issue has been addressed in two prior site plan approvals, the applicant still requires variance approval.

As to completeness issued, the Board's Engineer recommended that items 1 – 8 of his March 9, 2016 correspondence be waived for completeness purposes only subject to additional information being provided 10 days in advance of the public hearing. The applicant understood that if this is not provided 10 days in advance of the public hearing, they may not be able to proceed with the hearing.

Ms. Ferrero moved the Board deem the application complete with waivers granted as set forth above; seconded by Mrs. Papics.

ROLL CALL VOTE: Ferrero-aye; Korbobo-aye; Papics-aye; Reilly-aye; Stiehler-aye; Tersigni-aye; Waterson-aye; Murray-aye. Motion carried.

The Public hearing was scheduled for April 19, 2016.

5. On April 19, 2016, the applicant provided appropriate Proof of Service and Publication of a Notice of Hearing and the board was found to have jurisdiction to proceed with the hearing as all items had been provided ten days in advance of the meeting.

6. The following witnesses were presented in support of the application: Chris Ricci, Centurion, Project Manager; Nate Book of Centurion; Esmond Crook of Growmark; and Kurt Hoffman, P.E. of Kurt Hoffman Engineering. The following exhibits were marked into evidence:

Exhibits A-1 through A-4 Photographic exhibits imposed with proposed structure

Exhibit A-5 Floor Plan Exhibit

Exhibit A-6 Colorized version of Site Plan

Exhibit A-7 2008 Site Plan

Exhibit B-1 March 9, 2016 review correspondence of Board Engineer

7. The project calls for demolishing the existing building and construction of a new building on the same foot print and on adjacent existing impervious coverage. There is no increase in existing impervious coverage as a result of this project and the existing and continued use is permitted in the AR Zone. Mr. Lowcher stated that this site has received previous site plan approvals in 1990 and 2008. In both cases the impervious coverage had been calculated at 45.9% whereas the current plan calculated the actual existing impervious coverage to be at 51.7%.

Variance relief is required as 20% is the maximum impervious coverage permitted in the zone.

8. Sworn testimony under oath was received from Chris Ritchie, Project Manager with Centurion. Centurion will be involved with coordination of the construction phase of this project. They have worked previously with Growmark FS on other projects at other locations upgrading infrastructure and equipment. Mr. Ritchie presented photographic exhibits superimposed with the proposed structure to the Board and marked them Exhibit A-1, A-2, A-3 & A-4 and a floor plan marked Exhibit A-5.

9. Mr. Ritchie testified that the new building will have storage bins for all of the same products that Growmark currently stores on site which will be stored in the same way. He testified that the height of the new building will be 35' where 36' is allowed in the zone. The additional height of the new building will accommodate a maintenance area and will be approximately 8' higher than the current building. No variance relief is required for the additional height of the structure. Their goal is to begin work in July and finish by the end of the year. The flooring will be 6" concrete with no expansion joints. No fire suppression system is proposed as it is not required by code for this type and size facility. The materials that will be stored in the structure are rather benign, especially when stored separately as proposed. The building will have concrete walls up to 8' and then it will be wood construction with vinyl siding and FRP panels which allow natural light into the facility.

10. The matter was opened to the public for questions of Mr. Ricci. Rob Walsh, 12 Woodland Terrace questioned if Mr. Ritchie was an expert and appropriate for him to testify. Mr. Gruenberg stated that he was not asked to be qualified as an expert so his testimony is that of the project manager. Mr. Walsh asked what the structural framing of the building was. Mr. Ritchie testified that it is concrete up until 8' above grade and then it is wood construction with shingles, Endure panels and vinyl siding. Mr. Ritchie testified that they do not anticipate an increase in storm water runoff since there is no increase to the impervious coverage on the site.

11. Sworn testimony under oath was next received from Esmond Croke, Warehouse Manager, Growmark, FS. Mr. Croke testified that he is the warehouse manager at the site. Mr. Lowcher asked Mr. Croke to explain the difference in the impervious coverage calculations. Mr. Croke stated that the area of lime storage has been onsite for decades and it pre-dates anyone who works there. Apparently, in the prior applications before the Board, the lime storage area was not included within those prior professionals' calculations of impervious coverage. Mr. Croke testified that they are pursuing this project in light of the current condition of the structure and the continued future use of the site, to provide a safe working environment, and to be responsible in all aspects of containing and maintaining the products. There will be no anticipated increase in traffic or customers on site as the proposed structure is intended to handle the current volume that they have in a more efficient and proper fashion. The existing building was constructed in the 1960's and needs to be updated. He added that we are in an area where agriculture is not growing so he does not anticipate an increased need locally.

12. The matter was opened to the public for questions of Mr. Croke. Mr. Walsh questioned Mr. Croke regarding the requirements of a "Major facility secondary containment". Mr. Croke confirmed that the facility has an active plan for liquid fertilizer containment and undergoes regular and thorough inspections. The new building however is for dry storage. Mr. Croke testified that product on site will be depleted by the end of the summer and anything left

will be transferred to a different facility. The applicant agreed to a condition of no temporary storage of product materials on site while construction is taking place.

13. Sworn testimony under oath was next received from Kurt Hoffman, P.E. Mr. Hoffman's credentials were reviewed by the Board and he was accepted as an expert in the field of Engineering.

14. Mr. Hoffman marked his site plan exhibit A-6 and stated that his sheet 2 of 5 of his revised site plan, dated 4/6/16 shows the entire site. He explained that the area in red is the existing structure that will be demolished and the area highlighted in yellow will be the new structure. Existing buffering is shown in green with vegetative woods between the site and Deer Path and also on the easterly side of the site going toward Church Street.

15. Mr. Roseberry's correspondence dated March 9, 2016 was marked Exhibit B-1 and Mr. Hoffman responded to the same. Mr. Hoffman testified that to satisfy Mr. Roseberry's memo, he provided an additional sheet to the plan to indicate more clearly the existing and proposed conditions. Mr. Hoffman indicated on the plan the areas of additional concrete slab around the proposed building and additional detail to the plan required by Mr. Roseberry. Mr. Hoffman stated they were able to obtain an as built drawing of the septic and he modified the plans to show the exact location of those items and there is no conflict of the proposed building location to the septic tank and he clarified that there is no cesspool on the property. The Board's Engineer, Ms. Caffrey stated that as long as they locate the septic and verify that it is in fact 10' away from the building prior to construction that would be acceptable. Mr. Hoffman testified that in Hunterdon County the distance required from a slab to a septic is 5' and distance from a full foundation to a septic must be 10' to the tank or 25' to any disposal field and they meet both of those requirements based on the as build plans. Mr. Korbobo clarified that they technically only need to be 5' away. Mr. Hoffman confirmed the same. Mr. Hoffman testified that they will not be adding any new lighting, that they will be removing the lights from the existing building and

installing them on the new building at the same height so in essence the lighting will be the same as it is today. Mr. Hoffman testified that they took it upon themselves based on Mr. Roseberry's letter to relocate the dumpsters to an existing concrete pad more centrally located on the site and they will add a dumpster enclosure as well.

16. With respect to the variance relief, Mr. Hoffman testified that they have applied for a variance for impervious coverage explaining that the calculation used in the 1990 & 2008 site plan applications indicate 47% where he calculates the existing impervious coverage to be 51%. The site plan submitted to this Board in 2008 was marked Exhibit A-7. Mr. Hoffman testified it does not show an impervious coverage calculation of the lime storage area, and he included this area in his calculation which is the difference. He clarified they are not actually increasing the impervious coverage on the site, but correcting the calculation of what has been existing. Mr. Hoffman testified that the gravel area where lime is stored was not on the previous plan and needs to be included. Mr. Croke testified that he approximated that the lime storage area has been there for approximately fifty years. It is used for adjusting soil pH and stored in a pile outside with two block walls that form a corner to hold it. Mr. Croke testified it is a naturally occurring quarry product and it has always been stored in this way at this location on this site. Mr. Reilly asked if the storage area could be outlined on the plan. Mr. Hoffman agreed to the same. Mr. Hoffman stated that according to the State they do not need Stormwater Management because they are not increasing impervious coverage or disturbing an acre of land with this project.

17. Mr. Hoffman contended that the application is exempt from Highland's review as indicated in his letter of April 8, 2016 under Highland's exemption #4 "for an exemption of reconstruction of any building or structure for any reason within 125% of the footprint of the lawfully existing impervious surface on the site; provided that the reconstruction doesn't increase the lawfully existing impervious surface by ¼ acre or more". Mr. Hoffman stated that it is his

understanding that as long as it is a clear cut exemption, the Zoning Officer, or town have the right to act on the application without getting the exemption from the DEP. Ms. Caffrey stated that there is no one at the Borough currently who has had the training to be able to authorize the exemption but they agree it does meet the criteria. Mrs. Tersigni stated that the Borough has received information recently and the Zoning Officer is scheduled to attend training in on May 8, 2016. Mr. Gruenberg stated that if the Zoning Officer cannot give the approval it becomes a question of if it can become a condition of approval. The Secretary stated that Joanna Slagle, former Borough planner had been the person designated for this for the Borough. She asked if it may make sense that she or someone else at Banisch Associates could do this. Mr. Gruenberg stated it would make sense to contact Mr. McGroarty about this.

18. Mr. Hoffman stated that he provided a cost estimate to Mr. Roseberry per his request. Ms. Caffrey stated that they have reviewed the same and have no issue with it but they would like to make the issuance of a performance bond of 120% of the cost a condition of approval. Mr. Lowcher agreed to the same. Ms. Caffrey stated the final condition they would like to see is that 5% of cost be held to cover inspection fees to which the applicant agreed.

19. Mr. Hoffman testified that they have made application to the Hunterdon County Planning Board and they have reviewed the plan. They had requested revisions and Mr. Hoffman has submitted those to them. Approval from the Hunterdon County Planning Board and Hunterdon County Soil Conservation District were agreed to be conditions of any approval.

20. The matter was opened to the public for questions. Mr. Walsh asked how many employees were typically on site during peak times. Mr. Crooke advised there could be 14 employees. Mr. Walsh asked if the septic had been tested for that amount of use. Mr. Hoffman stated that it is based on square footage of the facility and based on what exists and what is proposed, there will be no increase in use. He further advised that they are regulated by the minimum flow of 350 gallons per day and they do not even reach that. Mr. Walsh asked if there

is a plan that shows the existing stormwater management facility. Mr. Hoffman advised that other than roof leaders, there are no detentions basins or anything onsite.

21. The matter was opened to the public for testimony. Sworn testimony under oath was received from Mr. Walsh. Mr. Walsh stated that run off from this property comes onto his property and adjoining neighbors explaining that there is a rip rap swale that was built to handle this and that this has eroded and filled in over time that has diminished capacity. He said that he knows it is a township drainage easement and that is something he needs to take up with Mr. Roseberry to get it maintained. Mr. Walsh added that maybe there is no existing easement on the Growmark property. Mr. Hoffman stated there is none that he is aware of.

22. Mr. Waterson asked what happens in a heavy rain. Mr. Walsh stated that his basement can flood if the groundwater level rises. Mr. Waterson asked if he thinks it is from this area. Mr. Walsh said no, that it is just the nature of it, that it goes down and into the drainage swale and some erosion has to be repaired. He stated that that it is severely undermined and there is an approximate 3' gap between the ground and what the water is supposed to be traveling on. He stated there is a 35' drainage easement along the rear of his property and adjacent properties that ultimately goes to a stream.

23. Mr. Walsh confirmed that the Growmark facility was preexisting when his development was constructed. Mr. Walsh stated that he believes the drainage channel had to have been an off-site improvement from the subdivision.

24. No further testimony in support or opposition to the application was received.

25. Mr. Lowcher argued that it would be appropriate to consider this a C-2 Variance and that the purposes of the Municipal Land Use Law would be advanced by deviation from the Zoning Ordinance for impervious coverage and that the benefits of this deviation would substantially outweigh any detriment. He argued that the positive criteria could be met by two purposes of the municipal land use law, N.J.S.A. 40:55D-2.g, to provide sufficient space and

appropriate locations for a variety of agricultural, residential, recreation, commercial and industrial uses and open space both public and private according to their respective environmental requirements in order to meet the needs of all New Jersey citizens. Growmark's operation is a permitted use in the A-R Zone. The second purpose would be N.J.S.A. 40:55D-2.m to encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land.

26. Mrs. Murray moved the Board close the public hearing; seconded by Mr. Korbobo.

ROLL CALL VOTE: Korbobo-aye; Reilly-aye; Tersigni-aye; Waterson-aye; Murray-aye.

Motion carried.

27. Mrs. Tersigni moved the Board accept the C Variance to permit an impervious coverage of 51.7% where 20% maximum is permitted and previously the impervious coverage had been calculated at 45.9% in error subject to conditions; seconded by Mrs. Murray.

ROLL CALL VOTE: Korbobo-aye; Reilly-aye; Tersigni-aye; Waterson-aye; Murray-aye.

Motion carried.

28. Mr. Korbobo moved the Board grant preliminary and final site plan approval; subject to conditions; seconded by Mrs. Tersigni.

ROLL CALL VOTE: Korbobo-aye; Reilly-aye; Tersigni-aye; Waterson-aye; Murray-aye.

Motion carried.

Conclusions:

1. The applicant has established the necessary "positive" and "negative" criteria for the granting of the requested variance to allow an impervious coverage of 51.7 % where 20%

maximum is permitted pursuant to N.J.S.A. 40:55D-70(c)(2) .

2. The proposed building and loading area is better than what exists at the site, resulting in an improved function without an increase in impervious coverage. While variance relief is technically required for impervious coverage, there is no effective increase in impervious coverage from what has previously been located on site. The public good will be advanced by granting of the deviation requested as an updated facility providing a safer work environment with more thorough and safer of containment of materials will be provided.

3. The Board finds that the variance can be granted without substantial detriment to the public good and won't substantially impair the intent and purpose of the zone plan and zoning ordinance. The site is heavily wooded and there is dense tree planting screening the business from the adjoining residences. The proposed addition will not be visible until the observer is actually on site.

4. As to the site plan issues, the remaining site plan is fully conforming with the Borough's ordinances with the granting of the variance, and the Board finds that preliminary and final site plan approval will be appropriate in light of the conditions imposed and the unique circumstances presented.

Resolution:

RESOLVED, that the Applicant, CENTURION CONSTRUCTION GROUP, LLC AS AGENT FOR GROWMARK, FS is granted preliminary and final site plan approval together with the requested variance relief set forth above subject to the following conditions:

A. There shall be no temporary storage of product or material on site during construction.

B. Compliance in all respects with Mr. Roseberry's letter dated March 9, 2016, marked exhibit B-1 and as clarified during testimony.

C. Applicant shall resolve the septic review issue to Mr. Roseberry's satisfaction prior to the issuance of any CO.

D. There is no new lighting proposed and existing lighting will be re-mounted on the new structure in the same locations and will not be any higher.

E. The dumpster will be relocated on an existing concrete pad and enclosed with a board on board fence to Mr. Roseberry's satisfaction.

F. Applicant shall obtain any and all outside Governmental approvals including, but not limited to Hunterdon County Planning Board, Hunterdon County Soil Conservation District and a Highland's Exemption Determination either by the Borough or as appropriate.

G. Applicant shall post a Performance Guarantee to the satisfaction of the Board's professionals and the Borough Attorney in the amount of 120% of the construction cost estimate for performance guarantee and 5% for inspection fees.

H. Applicant shall revise the plans to show the delineation for the lime stone storage and gravel area to the satisfaction of the Board's Professionals.

I. Applicant shall maintain a positive balance in the escrow account to insure continued review of the project and satisfaction of these conditions of approval by the Board and Borough's professionals.

Mr. Waterson moved the board adopt Resolution # 04-16; seconded by Mr. Korbobo.
ROLL CALL VOTE: Ferrero-abstain; Korbobo-aye; Papics-abstain; Reilly-aye; Stiehler-abstain; Tersigni-aye; Waterson-aye. Motion carried.

WIRELESS TELECOMMUNICATIONS ORDINANCE

The Secretary stated that the Ordinance was not introduced by Council at the May meeting as expected but it will be on the agenda in June. Mr. Gruenberg stated that after Introduction, they will send back to the Board to make a determination if it is consistent with the Master Plan. The Ordinance will then go back to Council for the Second Reading.

NEW BUSINESS

REDEVELOPMENT

Mr. Reilly stated that he reached out to the Planner to ask where we are with redevelopment. He explained that it was this time last year we were told we should wait because Highland's was going to work with a pilot program regarding wastewater management to try to deal with the Borough's lack of sewer. To date Highland's has not moved forward. Discussion followed. Mr. Reilly asked for volunteers to join a subcommittee to look into options and take initial steps for future development of a redevelopment zone. Ms. Ferrero volunteered to participate in the subcommittee.

CORRESPONDENCE

Board reviewed correspondence.

The Board discussed a letter from Mr. McGroarty dated June 16, 2016 related to the COAH mediation session, the Fair Share Housing Center's proposal and whether or not the Borough wants to move forward with preparation of the Housing Element and Fair Share Plan. Discussion followed.

Mrs. Tersigni provided the Board with a summary of the mediation session that she attended with Mr. Edleston and Mr. McGroarty. She explained that at the May meeting, Borough Council chose to do nothing at this time and see what happened with the other two municipalities which are in the Highland's Preservation Area.

OPEN TO THE PUBLIC

No comment.

ADJOURNMENT

There being no further business, a motion to adjourn the meeting was made by Ms. Ferrero; seconded by Mrs. Papics. All ayes motion carried. Meeting adjourned at 8:13 PM.

Respectfully submitted,

Lisa A. Burd Reindel,
Planning Board Secretary

**BOROUGH OF BLOOMSBURY
PLANNING BOARD
REGULAR MEETING MINUTES
OCTOBER 18, 2016**

The regular meeting of the Bloomsbury Planning Board was held on October 18, 2016 at the Bloomsbury Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey 08804. The meeting was called to order at 7:30 p.m. by the reading of the Sunshine Law by Steve Gruenberg, Board Attorney.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on February 4, 2016 by the publication of said notice in the Hunterdon County Democrat and the posting of said notice in the Municipal Building on the same date.

ROLL CALL:	Ann Ferrero	Martha Tersigni, Mayor
	Matt Korbobo - excused	Robert Waterson
	Vicky Papics	Steve Gruenberg, Attorney
	Tom Reilly - excused	Lawrence Creveling, Zoning Officer
	Michele Stiehler	

FLAG SALUTE

APPROVAL OF BILL LIST

Mrs. Tersigni moved the Board approve the Bill List of October 18, 2016; seconded by Mrs. Stiehler.

ROLL CALL VOTE: Ferrero-aye; Papics-aye; Stiehler-aye; Tersigni-aye; Waterson-aye. Motion carried.

APPROVAL OF MINUTES

Ms. Ferrero moved the Board the regular meeting minutes of June 21, 2016; seconded by Mrs. Papics.

ROLL CALL VOTE: Ferrero-aye; Papics-aye; Stiehler-aye; Tersigni-aye; Waterson-aye. Motion carried.

ZONING REPORT

The Board reviewed the Zoning Reports of July, August & September and accepted the same.

ESCROW REPORT

The Board reviewed the escrow report dated October 10, 2016. The Clerk will reach out to Mr. Roseberry regarding the Brown's Hunterdon Mack bill and inquire if escrow fees are necessary.

OLD BUSINESS-

WIRELESS TELECOMMUNICATIONS ORDINANCE

Mr. Gruenberg reminded the Board that this Ordinance was reviewed by the Board and sent to Council for Introduction. The Secretary confirmed that it was introduced by Council and published accordingly. Mr. Gruenberg stated that it has come back to the Board to determine if it is consistent with the Borough Master Plan. The Board reviewed a memo from Borough Planner, Chuck McGroarty who indicated that in his opinion it is consistent with the Master Plan.

Ms. Ferrero moved the Board find Ordinance #106-16 is consistent with the Master Plan and that the same be forwarded to Council for their further consideration; seconded by Mrs. Papics.
ROLL CALL VOTE: Ferrero-aye; Papics-aye; Stiehler-aye; Tersigni-aye; Waterson-aye. Motion carried.

NEW BUSINESS

HOME OCCUPATION APPLICATION

Mr. Gruenberg stated that this is an application, essentially for a conditional use permit and that means that if Mr. Dangelo's proposed use meets all of the standards for a home occupation, the Board can issue a permit to allow it to go forward.

Mr. Dangelo was sworn in by Mr. Gruenberg.

Mr. Dangelo testified that he is a certified public accountant and is licensed and registered in the State of New Jersey and he is establishing a consultancy. He advised that he is also a certified fraud examiner and much of his work is done off-site except for administrative functions. He further testified that:

- No employees will be working on site.
- Proposed business will be carried on entirely within the existing building.
- 69 of the total 1,056 sq. ft. will be devoted to the business, or approximately 6.5%.
- Other than the allowed 3 sq. ft. sign, no additional exterior display or signage will be installed.
- Infrequent customer parking may occur but will not go over the frontage of his property.
- There will be no changes to the exterior of the building.
- The business will not create any noise, vibration, glare, fumes, odors, etc.
- There will be no exterior storage of materials or parking of commercial vehicles.
- He does not expect more than two commercial vehicles per week for delivery of supplies.

Mr. Gruenberg stated that an Accountant is an occupation which is specifically listed in the Ordinance as a permitted Home Occupation.

The Board members had no additional questions.

No questions were heard from any member of the public.

Mrs. Tersigni moved the Board close the hearing; seconded by Mrs. Papics. All ayes. Motion carried.

Mrs. Papics moved the Board approve the conditional use permit conditioned upon the home occupation being operated in accordance with the testimony received; seconded by Ms. Ferrero. ROLL CALL VOTE: Ferrero-aye; Papics-aye; Stiehler-aye; Tersigni-aye; Waterson-aye. Motion carried.

NEW JERSEY PLANNING OFFICIALS MEMBERSHIP

Mrs. Stiehler moved the Board renew their membership for 2017 at a cost of \$325; seconded by Ms. Ferrero.

ROLL CALL VOTE: Ferrero-aye; Papics-aye; Stiehler-aye; Tersigni-aye; Waterson-aye. Motion carried.

CORRESPONDENCE

Board reviewed correspondence.

OPEN TO THE PUBLIC

No comment.

ADJOURNMENT

There being no further business, a motion to adjourn the meeting was made by Ms. Ferrero; seconded by Mrs. Stiehler. All ayes motion carried. Meeting adjourned at 7:49 PM.

Respectfully submitted,

Lisa A. Burd Reindel,
Planning Board Secretary

**BOROUGH OF BLOOMSBURY
PLANNING BOARD
REGULAR MEETING MINUTES
NOVEMBER 15, 2016**

The regular meeting of the Bloomsbury Planning Board was held on November 15, 2016 at the Bloomsbury Borough Hall, 91 Brunswick Avenue, Bloomsbury, New Jersey 08804. The meeting was called to order at 7:32 p.m. by the reading of the Sunshine Law by Tom Reilly, Chairman.

As required by the Open Public Meetings Act of 1975, adequate notice of this meeting was provided on February 4, 2016 by the publication of said notice in the Hunterdon County Democrat and the posting of said notice in the Municipal Building on the same date.

ROLL CALL:	Ann Ferrero	Martha Tersigni, Mayor
	Matt Korbobo - absent	Robert Waterson
	Vicky Papics - excused	Steve Gruenberg, Attorney
	Tom Reilly	Lawrence Creveling, Zoning Officer
	Michele Stiehler	

FLAG SALUTE

APPROVAL OF BILL LIST

Ms. Ferrero moved the Board approve the Bill List of November 15, 2016; seconded by Mrs. Stiehler.

ROLL CALL VOTE: Ferrero-aye; Reilly-aye; Stiehler-aye; Tersigni-aye; Waterson-aye. Motion carried.

APPROVAL OF MINUTES

Ms. Ferrero moved the Board the regular meeting minutes of October 18, 2016; seconded by Mr. Waterson. All ayes; Reilly-abstain. Motion carried.

ZONING REPORT

The Board reviewed the Zoning Report of October and accepted the same.

ESCROW REPORT

The Board reviewed the escrow report dated November 7, 2016.

OLD BUSINESS-

WIRELESS TELECOMMUNICATIONS ORDINANCE-

Mrs. Tersigni stated that the Wireless Telecommunications ordinance was adopted by Council.

REDEVELOPMENT-

Mr. Reilly stated there will be a meeting with Mr. Roseberry, Mrs. Tersigni and a representative from the County on November 21st at 4 pm.

Mrs. Tersigni stated that they have lost sight as to where we are on the modules what number we are working on and where we stand. The CFO has not received any grant money yet from the state so he will contact Chuck McGroarty to see where we stand. Discussion followed.

NEW BUSINESS

Mrs. Tersigni asked if a residential property is sold in a foreclosure sale can it then be occupied by an owner or tenant if it does not have an upgraded septic. Mr. Gruenberg stated he is not sure what would trigger a requirement for an updated septic. It is a county issue to inspect the septic and the county has to accomplish that prior to the issuance of a CO. Discussion followed.

Mrs. Tersigni asked who would handle clarification of our definition of a rooming or boarding house if someone would question it. Mrs. Tersigni stated that information was delivered to the zoning officer that some homes in the borough were being turned into boarding houses. Discussion followed.

CORRESPONDENCE

Board reviewed correspondence.

OPEN TO THE PUBLIC

No comment.

ADJOURNMENT

There being no further business, a motion to adjourn the meeting was made by Ms. Ferrero; seconded by Mr. Waterson. All ayes motion carried. Meeting adjourned at 8:11 PM.

Respectfully submitted,

Lisa A. Burd Reindel,
Planning Board Secretary